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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/067,113	02/04/2002	Masamine Maeda	B422-180	5978

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EXAMINER

DUNN, MISHAWN N

ART UNIT	PAPER NUMBER
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2621

DATE MAILED: 06/29/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 10/067,113	<b>Applicant(s)</b> MAEDA, MASAMINE	
	<b>Examiner</b> Mishawn N. Dunn	<b>Art Unit</b> 2621	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 04 February 2002.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-10 and 12-18 is/are rejected.
- 7) ☒ Claim(s) 11 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 04 February 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## DETAILED ACTION

### *Claim Rejections - 35 USC § 102*

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-10 and 12-18 are rejected under 35 U.S.C. 102(e) as being anticipated by Ikeda et al. (US Pub. No. 2002/0110354).

3. Consider claim 1. Ikeda et al. teaches a recording apparatus comprising: image pickup means; a recording medium interface adapted to record first image data obtained by said image pickup means in a recording medium; reproduction list processing means for generating reproduction list data which designates reproduction of modified image data generated using the first image data recorded in said recording medium; and control means for controlling said recording medium interface to record the reproduction list data generated by said reproduction list processing means and said modified image data in said recording medium (pg. 2, para. 0054; fig. 1).

4. Consider claim 2. Ikeda et al. teaches an apparatus further comprising: effect instruction means for instructing a special effect processing for the first image data obtained by said image pickup means (pg. 4, para. 0091; fig. 18), wherein said reproduction list processing means generates the reproduction list data which

Art Unit: 2621

designates the reproduction of said modified image data in response to the instruction of the special effect processing by said effect instruction means (pg. 5, para. 0101).

5. Consider claim 3. Ikeda et al. teaches an apparatus further comprising: image processing means for generating said modified image data by using said first image data reproduced from said recording medium by said recording medium interface (pg. 3, para. 0062).

6. Consider claim 4. Ikeda et al. teaches an apparatus wherein said control means controls said recording medium interface to reproduce only image data of a portion necessary for said special effect processing in the first image data recorded in said recording medium and to output the reproduced image data to said image processing means (pg. 3, para. 0062).

7. Consider claim 5. Ikeda et al. teaches an apparatus wherein said reproduction list processing means generates the reproduction list data which designates a reproduction processing of image data recorded in said recording medium to reproduce said modified image data instead of said first image data. (pg. 3, para. 0071, lines 18-21).

8. Consider claim 6. An apparatus further comprising: image processing means for generating said modified image data, wherein said control means controls said image processing means to generate said modified image data in response to an instruction for stopping the recording of said first image data with respect to said recording medium (pg. 5, para. 0108).

9. Consider claim 7. Ikeda et al. teaches an apparatus wherein said recording medium interface reproduces said first image data, said modified image data, and said reproduction list data from said recording medium, and wherein said control means controls a reproduction operation of said first image data and said modified image data by said recording medium interface in accordance with the reproduction list data reproduced by said recording medium interface (pg. 3, paras. 0060-0063; fig. 5).

10. Consider claim 8. Ikeda et al. teaches an apparatus further comprising: coding processing means for coding the first image data obtained by said image pickup means and said modified image data, and decoding said first image data and said modified image data reproduced from said recording medium (pg. 7, para. 0130).

11. Consider claim 9. Ikeda teaches an apparatus further comprising: image processing means for generating said modified image data by using the first image data decoded by said coding processing means (pg. 7, para. 0130).

12. Consider claim 10. Ikeda et al. teaches an apparatus further comprising: output means for outputting said modified image data reproduced by said recording medium interface in accordance with said reproduction list data, in a coded form to an external apparatus (pg. 7, para 0129, lines 1-2).

13. Consider claim 12. Ikeda et al. teaches an apparatus wherein said control means controls said recording medium interface to record said modified image data generated by an external apparatus in said recording medium (pg. 2, para. 0054).

14. Apparatus claims 13-18 are rejected for the same reasons as discussed in the corresponding apparatus claims above.

***Allowable Subject Matter***

15. Claim 11 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

***Conclusion***

16. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- a. US Pat. No. 6,052,508
- b. US Pat. No. 5,206,929
- c. US Pub. No. 2003/0206714

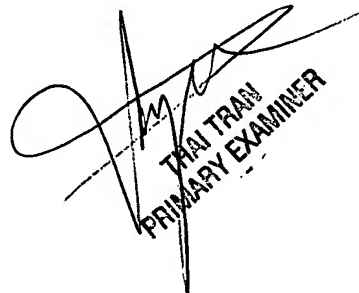
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mishawn N. Dunn whose telephone number is 571-272-7635. The examiner can normally be reached on Monday - Friday 7:30 AM to 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thai Tran can be reached on 571-272-7382. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2621

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Mishawn Dunn  
June 23, 2006



THAI TRAN  
PRIMARY EXAMINER